IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWELFTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 15950 of 2003

Between:

1 Degala Ramachandra Rao S/o. Nageswara Rao, Hindu,
Sopirala Village, Chinaganjam Mandal, Prakasam District.
2 Alahari Adamma, W/o. Kondala Rao, Hindu,

..... PETITIONERS

AND

1 The District Collector, Prakasam District.
2 Mandal Revenue Officer, Chinaganjam Mandal, Prakasam District.
3 The District Acqua Cultural Authority, Prakasam District, Ongole.

4. Kunchala Venkata Seshagiri Rao,

s/o. Venkateswarlu, 43 years, Sopirala (V),

Chinaganjam (M), Prakasam District.

(R-4 is impleaded as per Court Orders dated 22-07-2004

in W.P.M.P.No.23502 of 2003)

5. Tummalapanta Ramarao, 65 years,

s/o. Venkateswarulu, r/o. Sopira, Chinaganjam Mandal,

Prakasam District.

6. Tummalapanta Rajeswari, 50 eyars,

w/o. Rama Rao, r/o. Sopira, Chinaganjam Mandal, Prakasam District.

7. T. Subbarayudu, age 50 years,

Bimavaram ATP Sopirala Acqua Tanks.

8. Parvatha Reddy Sri Hari, s/o. Venkateswarulu,

Jute Mill Center, Jaandrapet.

9. Aburi Venkateswara Rao, 50 years,

Ayyappa Acqua Traders.

10. Naralasetty Venkata Swamy, 60 years,

s/o. Bhavanarayana, Sopirala.

11. Tummalapanta subba Rao, 60 years,

s/o. Venkateswara Rao, Sopirala.

12. Adiseshayya Acqua, Ongole,

C/R Sopirala Tanks.

13. N. Vasu Acqua,

[Nayudu Hanumantha Rao, s/o.Subbarayudu, 50 years

N. Narayana Swamy Acqua, 45 years]

Sopirala Acqua tanks.

14. S.C. Corporation Acqua,

Upputhoti Babu Rao, 50 years, Government lands.

15. Mannem venkata Rao Acqua, 60 years,

Mannemvari palem tanks,Chirala to Ongole Gutta.

16. Nallampu Subbareddy, 45 years,

s/o. Krishna Reddy, Chinaganjam Mandal,

Mayabazar pet, Chinaganjam.

17. Bavanam Ramireddy, Vankayalapdu,

Chirala to Ongole Road, Mannemvaripalem.

18. Kandipi Venkata Subbarao,

Sait merchant, Chinaganjam Mandal.

19. Nallamopu Ramanareddy,

Railway Center, Chinaganjam.

20. Kukkala Ramanareddy, 35 years,

s/o. Kotireddy, Chinaganjam, Munnemvaripalem.

21. Lathabu Acqua Farm, Chirala,

C/R Romperu Bridge,.

22. Sandhya Mariayam Acqua, Kunam Ramana Rao,

s/o. Kotaiah, 50 years, Edummudi.

23. Bogireddy Venkata Ramanareddy, 60 years,

s/o. Venkateswara Reddy, Chinaganjam Railway Station Center,

Chinaganjam.

(R-5 to R-23 are impleaded as per Court Orders in

W.P.M.P.No.20686 of 2003, dated 24-07-2004)

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order or direction, more especially one in the nature of writ of mandamus declaring the action of the respondents in directing the first to issue a writ or order or direction, more especially one in the nature of writ of mandamus declaring the action of the respondents in directing the first petitioner to close the prawn pond in S.No.247, in D.K.No.429/1410 admeasuring Ac.1.25 cents and the second petitioner's land admeasuring Ac. 0.96 cents situated in S.No.516/2, 516/3, 516/6 and 516/7 of Sopirala Village of Chinaganjam Mandal, Prakasam District without directing the closure of Prawn culture ponds in an extent of 1000 acres of Sopirala village of Chinaganjam Mandal, as illegal, arbitrary, capricious and consequentially direct the respondents not to insist the petitioner and the second petitioner to close our prawn ponds situated in S.No.247, D.K. No. 429/1410 admeasuring Ac.1.25 cents and the second petitioner's land admeasuring Ac.0.96 cents situated in S.No.516/2, 516/3, 516/6 and 516/7 of Sopirala Village of Chinaganjam Mandal, Prakasam District without directing the closure of Prawn culture ponds in an extent of 1000 acres of Sopirala Village of Chinaganjam Mandal.

Counsel for the Petitioner: MR.RAVI SHANKAR JANDHYALA

Counsel for the Respondent Nos.1 to 3: G.P. FOR REVENUE

Counsel for the Respondent No.4: MR. SINGAM SRINIVASA RAO

Counsel for the Respondent Nos.5 to 23: None appeared

The Court made the following:

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ORDER:

The writ petition is filed to declare the action of respondents in directing the first petitioner to close the prawn pond situated in Sy.No.247 in D.K. No.429/1410 admeasuring Ac.1.25 cents and the 2nd petitioner's land admeasuring Acs.0.96 situated in S.No.516/2, 516/3, 516 and 517 of Sopirala Village in Chinaganjam Mandal of Prakasam District, as illegal and arbitrary.

Though the interlocutory application is listed today, as the matter is covered by a

judgment of the Division Bench of this Court, the matter was heard finally with the consent of the learned Counsel for the petitioner and the learned Government Pleader for Revenue and being disposed of.

A Division Bench of this Court, to which I was a member, in **Madireddy Padma Rambabu v. District Forest Officer, Kakinada**, considered this aspect of the matter and dismissed a batch of writ petitions. Following the same, the writ petition is dismissed.

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October 12, 2004. (V.V.S.RAO, J)

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To

1 The District Collector, Nellore.
2 The Mandal Revenue Officer, Vidavalur Mandal, Nellore District.
3 The Environment Engineer, A.P. Pollution control Board, Nellore.
4 Two CCs to the Government Pleader for Revenue, High Court

Buildings, Hyderabad (O.U.T)

5 Two C.D. Copies.